

**REMARKS**

Applicants have carefully reviewed this Application in light of the Office Action mailed November 27, 2001. Claims 1-63 are currently in this Application. Claims 1-33, 35, 35, 38-40, 42-47, 50 and 58-63 stand rejected. Claims 34, 36, 37, 41, 48, 49, and 51-57 have been objected to by the Examiner. Applicants respectfully request reconsideration and favorable action in this case.

**Allowable Claims**

Applicants thank the Examiner for the allowance of Claims 34, 36, 37, 41 and 48-49 and 51-56 if rewritten in independent form. Applicants respectfully request to defer rewriting these claims into independent form until the Examiner addresses the remarks in this Response.

**Rejections Under 35 USC § 102**

The Examiner rejects Claims 1, 2, 4-8, 11-12, 16, 18-20, 23, 30-31 and 63 under 35 U.S.C. § 102(b) as being anticipated by U. S. Patent No. 5,765,140 issued to Knudson et al, ("*Knudson*"). Of these, Claims 1 and 63 are independent. Applicants respectfully traverse these rejections for at least the reasons discussed below.

*Knudson* discloses a dynamic project management system that includes a server network and a master database. The network may be configured for translating a project plan including a plurality of tasks to be performed by users of the network into the master database to affect an assignments table. *Knudson, Abstract*. The assignments table includes a list of project tasks assigned for completion by each of the users. *Knudson, Abstract*. *Knudson* further discusses that project managers may periodically track and control project progress in accordance with "the previously defined time schedules." *Knudson, Col. 7, lines 40-46*. This project progress is tracked by using a list of project tasks assigned for completion in an assignments table in the master database and the time expended by each user. *Knudson, Col. 6, lines 4-11*. The assignments table lists "assigned tasks for one or more projects for each of the identified users". *Knudson, Col. 6, lines 12-14*. *Knudson* further describes the assignments table as being used "for assigning project tasks to users identified by their user

profiles, which may be updated to "adjust assigned tasks and time schedules as required for the various identified users". *Knudson*, Col. 6, lines 31–32; Col. 7, lines 40–47.

To anticipate a claim, the reference must teach every element of the claim. *M.P.E.P.* §2131. *Knudson* does not teach or suggest every element of Claim 1. Among other features, Claim 1 recites, in part, "a tactic table operable to store at least one predefined tactic supported by the program office database and a tactic type for each tactic." *Knudson* fails to teach or suggest these elements of Claim 1. The Examiner asserts that the "revised project plan," of Figure 4, "is the same as a tactic table because it stores a predefined [tactic] supported by the program office database" and that Figure 4 "implies a tactic type." *Office Action*, page 27 and 30. In contrast to the Examiner's assertion, the revised project plan of Figure 4 is limited to a method of updating the assignments table maintained in the master database by adjusting the assigned tasks and time schedules for the various users. *Knudson*, Col. 7, lines 26–47. In other words, the assignment table and the master database used to revise the project plans are limited to storing project tasks, time schedules, and the assigned users. *Knudson*, Abstract; Col. 6, lines 7–14; Col. 7, lines 15–17. Neither the assignment table nor the master database stores "a tactic table operable to store a predefined tactic and a tactic type for each tactic." That is, neither the assignment table nor the master database stores "a predefined tactic" or "a tactic type for each tactic." Thus, the revised project plan of *Knudson* fails to teach or suggest "a tactic table operable to store at least one predefined tactic supported by the program office database and a tactic type for each tactic" (emphasis added).

Further, nowhere does the Examiner provide any explanation of how *Knudson* teaches or suggests "a tactic table operable to store... a tactic type for each tactic." The Examiner merely asserts that Figure 4 "implies a tactic type to progress the desired plan" (emphasis added). *Office Action*, page 30. Applicants respectfully remind the Examiner that "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *M.P.E.P.* § 2131. Based on the Examiner's assertion, the Examiner admits that *Knudson's* Figure 4 does not expressly teach or suggest a tactic type, but merely implies a tactic type (emphasis added). Thus, *Knudson*

fails to teach or suggest "a tactic table operable to store... a tactic type for each tactic" (emphasis added).

To the extent that the Examiner relies on "a tactic type" as being inherent in *Knudson* to establish these elements of Claim 1, the Examiner's reliance is improper. "To establish inherency, the extrinsic evidence must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient." *MPEP* § 2112. "In relying upon the theory of inherency, the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art." *M.P.E.P.* § 2112 (emphasis in original). *Knudson's* disclosure is limited to storing project tasks, time schedules, and assigned users in an assignment table and master database. *Knudson, Abstract; Col. 6, lines 7-14; Col. 7, lines 15-17. Knudson* does not involve either "tactic types" or "a tactic type for each tactic." Thus, Applicants respectfully submit that the elements of Claim 1, including "a tactic type for each tactic," are not inherent in *Knudson*.

The Examiner further asserts that "Figure 1 (project 1 and project 2)" are tactic tables "that store at least one predefined tactic." *Office Action, page 27*. In contrast to the Examiner's assertion, *Knudson's* disclosure is limited to storing project plans that include project tasks and time schedules in the master database, and to storing project tasks and assigned users in a assignments table in the master database. *Knudson, Abstract; Col. 2, lines 42-55; Col. 6, lines 7-14; Col. 7, lines 15-17*. Neither the project plan itself nor the master database in general stores "a tactic table operable to store a predefined tactic and a tactic type for each tactic." That is, neither the project plan nor the master database stores "a predefined tactic" or "a tactic type for each tactic." Thus, *Knudson* fails to teach or suggest "a tactic table operable to store at least one predefined tactic supported by the program office database and a tactic type for each tactic" (emphasis added).

In addition, the Examiner appears to assert that the project task, contained within the project plan, teaches or suggests both predefined tactics and tactic types. *Office Action, pages 27 and 30*. Applicants respectfully remind the Examiner that to anticipate a claim, a reference must teach every element of the claim. *M.P.E.P. § 2131*. As indicated in Claim 1, a tactic type and a tactic are two distinct elements. Nowhere has the Examiner provided an explanation of how a project task teaches or suggests both of these elements. Applicants respectfully request that the Examiner indicate how the task in *Knudson* teaches or suggests both of these elements.

Claim 1 further recites, in part, "a tactic type to progress milestone category cross-reference table operable to map at least one progress milestone category to the at least one tactic type." *Knudson* does not teach or suggest these elements of Claim 1. *Knudson's* disclosure is limited to a system that stores actual time expended on project tasks to track the progress of that project task. *Knudson, Abstract; see also Col. 10, lines 9-13*. Nowhere does *Knudson* teach or suggest storing "a tactic type to progress milestone category cross-reference table." In fact, the only items stored in the master database in *Knudson* are project plans, project tasks, time expended, and assigned users. Further, *Knudson* does not teach or suggest "progress milestone categories," "tactic types," or "cross-reference tables" of any kind (emphasis added), nor has the Examiner provided any explanation of how *Knudson* teaches or suggests these elements of Claim 1. Thus, *Knudson* fails to teach or suggest "a tactic type to progress milestone category cross-reference table operable to map at least one progress milestone category to the at least one tactic type" (emphasis added).

For at least these reasons, Applicants respectfully submit that *Knudson* fails to teach or suggest all of the elements of Claim 1. Accordingly, Applicants respectfully request allowance of Claim 1.

Independent Claim 63 is patentable for at least the reasons discussed above. Thus, Applicants respectfully request reconsideration and allowance of Claim 63.

Dependent Claims 2, 4-8, 11-12, 16, 18-20, 23, and 30-31 depend from independent Claim 1, which is shown above to be allowable. Thus, Claims 2, 4-8, 11-12, 16, 18-20, 23,

and 30-31 are patentable over *Knudson* as depending from an allowable base claim and as providing further distinctions over the cited reference. Accordingly, Applicants respectfully request allowance of Claims 2, 4-8, 11-12, 16, 18-20, 23, and 30-31.

**Rejections Under 35 USC § 103**

The Examiner rejects dependent Claim 3 under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,765,140 issued to Knudson et al. ("*Knudson*") in view of Gary Hamel et al., *THE E-CORPORATION: More than just Web-based, it's building a new industrial order* ("*Gary Hamel*"). Applicants respectfully traverse this rejection for at least the following reasons.

Claim 3 depends from Claim 1, which is shown above to be allowable. Thus, Claim 3 is patentable over *Knudson* and *Gary Hamel* as depending from an allowable base claim and as providing further distinctions over the cited references. *Gary Hamel* discusses the author's views of expectations that will "reverberate throughout the economy, affecting every business in eight major ways." *Gary Hamel*, p. 82. The portions cited by the Examiner discuss merely that "a real E-corp isn't just using the Internet to alter its approach to markets and customers; it's combining computers, the Web, and the massively complex programs known as enterprise software to change *everything* about how it operates." *Gary Hamel*, p. 82. However, the "eight major ways" discussed by the author address different problems than the ones Applicants are trying to solve – the "eight major ways" include topics entitled "When Push Comes to Suck", "Just the Plain Truth", "As You Like It", "Everything's an Auction", "The End of Geography", "Search Economies Rule", "My Place, My Time", and "Word of Mouse." *Gary Hamel*, pp. 82-91. These topics discuss Internet issues from a viewpoint such as consumer needs or distribution economies, issues not addressed by either *Knudson* or Applicants' invention. In fact, the author states that "Any company that denies consumers convenience and value to protect an entrenched channel is fighting history: Consumers will not be denied." *Gary Hamel*, p. 92. *Gary Hamel* does not teach "data associated with translating progress milestones defined in the projects to tactics defined in the system", "a tactic table operable to store at least one predefined tactic supported by the program office database and a tactic type for each tactic", and "a tactic type to progress milestone category cross-reference table operable to map at least one progress milestone category to the at least

one tactic type" as recited by Claim 1, nor is *Gary Hamel* relied on to teach this limitation. Therefore, Claim 3 is allowable. Accordingly, Applicants respectfully request allowance of Claim 3.

The Examiner rejects dependent Claims 9, 13 and 14 under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,765,140 issued to Knudson et al. ("*Knudson*") in view of Bates William, *Improving project management: better project management begins with a project management office* ("*Bates William*"). Applicants respectfully traverse this rejection for at least the following reasons.

Claims 9, 13 and 14 depend from Claim 1, which is shown above to be allowable. Thus, Claims 9, 13 and 14 are patentable over *Knudson* and *Bates William* as depending from an allowable base claim and as providing further distinctions over the cited references. *Bates William* is a three-page article that discusses the concept of establishing a project management office (PMO). The article discusses, for example, in four bulleted points the roles and functions of a PMO that depend on the requirements of a specific organization, along with a number of 'functions' that could be included within each of the major functions. *Bates William*, p. 1. The article also discusses a "core of project directors or managers who can be assigned to major projects ... and provide coaching and consulting services to other project managers." *Bates William*, p. 2. *Bates William* does not teach "data associated with translating progress milestones defined in the projects to tactics defined in the system", "a tactic table operable to store at least one predefined tactic supported by the program office database and a tactic type for each tactic", and "a tactic type to progress milestone category cross-reference table operable to map at least one progress milestone category to the at least one tactic type" as recited by Claim 1, nor is *Bates William* relied on to teach this limitation. Therefore, Claims 9, 13 and 14 are allowable. Accordingly, Applicants respectfully request allowance of Claims 9, 13 and 14.

The Examiner rejects dependent Claims 10 and 15 under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,765,140 issued to Knudson et al. ("*Knudson*") in view of the publication "A Guide to the Project Management Body of Knowledge" by the Project

Management Institute Standards Committee ("*PMBK*"). Applicants respectfully traverse this rejection for at least the following reasons.

Claims 10 and 15 depend from Claim 1, which is shown above to be allowable. Thus, Claims 10 and 15 are patentable over *Knudson* and *PMBK* as depending from an allowable base claim and as providing further distinctions over the cited references. *PMBK* discloses that the Project Management Body of Knowledge (PMBOK) is "an inclusive term that describes the sum of knowledge within the profession of project management... and that [the reference] identifies and describes that subset of the PMBOK which is *generally accepted*." *PMBK*, p. 2. The reference teaches a number of figures that illustrate overviews of various levels of "Project Management." *PMBK*, pp. 7, 41, 48, 60, 74, 84, 94, 104, 109, 112, and 124. *PMBK* does not teach "data associated with translating progress milestones defined in the projects to tactics defined in the system", "a tactic table operable to store at least one predefined tactic supported by the program office database and a tactic type for each tactic", and "a tactic type to progress milestone category cross-reference table operable to map at least one progress milestone category to the at least one tactic type" as recited by Claim 1, nor is *PMBK* relied on to teach this limitation. Therefore, Claims 10 and 15 are allowable. Accordingly, Applicants respectfully request allowance of Claims 10 and 15.

The Examiner rejects dependent Claims 24-26 and 28 under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,765,140 issued to Knudson et al. ("*Knudson*") in view of *Bates William*. Applicants respectfully traverse this rejection for at least the following reasons.

Claims 24-26 and 28 depend from Claim 1, which is shown above to be allowable. Thus, Claims 24-26 and 28 are patentable over *Knudson* and *Bates William* as depending from an allowable base claim and as providing further distinctions over the cited references. *Bates William* does not teach "data associated with translating progress milestones defined in the projects to tactics defined in the system", "a tactic table operable to store at least one predefined tactic supported by the program office database and a tactic type for each tactic", and "a tactic type to progress milestone category cross-reference table operable to map at least one progress milestone category to the at least one tactic type" as recited by Claim 1,

nor is *Bates William* relied on to teach this limitation. Therefore, Claims 24-26 and 28 are allowable. Accordingly, Applicants respectfully request allowance of Claims 24-26 and 28.

The Examiner rejects dependent Claim 29 under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,765,140 issued to Knudson et al. ("*Knudson*") in view of *Bates William* as applied to Claim 28, and further in view of *PMBK*. Applicants respectfully traverse this rejection for at least the following reasons.

Claim 29 depends from Claim 1, which is shown above to be allowable. Thus, Claim 29 is patentable over *Knudson*, *Bates William*, and *PMBK* as depending from an allowable base claim and as providing further distinctions over the cited references. *PMBK* does not teach "data associated with translating progress milestones defined in the projects to tactics defined in the system", "a tactic table operable to store at least one predefined tactic supported by the program office database and a tactic type for each tactic", and "a tactic type to progress milestone category cross-reference table operable to map at least one progress milestone category to the at least one tactic type" as recited by Claim 1, nor is *PMBK* relied on to teach this limitation. Therefore, Claim 29 is allowable. Accordingly, Applicants respectfully request allowance of Claim 29.

The Examiner rejects Claims 27, 32, 35, 38-40, 42, 44, 45-47, 50, 57, and 60-62 under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,765,140 issued to Knudson et al. ("*Knudson*") in view *PMBK*. Of these, Claim 32 is independent. Applicants respectfully traverse this rejection for at least the following reasons.

Claim 32 recites, in part, "storing and accessing a tactic table having at least one predefined tactic supported by the program office database" and "storing and accessing a tactic type table having at least one valid tactic type". As shown above, *Knudson* does not teach or suggest these elements and *PMBK* is not relied upon by the Examiner to teach these elements, nor does *PMBK* teach or suggest these elements. Therefore, for at least these reasons, Claim 32 is allowable over *Knudson* and *PMBK*. Accordingly, Applicants respectfully request allowance of independent Claim 32.



Dependent Claims 27, 35, 38-40, 42, 44, 45-47, 50, 57, and 60-62, which depend from independent Claims 1 and 32. Independent Claims 1 and 32 are shown above to be allowable. Thus, Claims 27, 35, 38-40, 42, 44, 45-47, 50, 57, and 60-62 are patentable over *Knudson* and *PMBK* as depending from an allowable base claim and as providing further distinctions over the cited references. Accordingly, Applicants respectfully request allowance of Claims 27, 35, 38-40, 42, 44, 45-47, 50, 57, and 60-62.

The Examiner rejects dependent Claims 33 and 59 under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,765,140 issued to Knudson et al. ("*Knudson*") in view of *PMBK* as applied to Claim 32 above, and further in view of *Bates William*. Applicants respectfully traverse this rejection for at least the following reasons.

Claims 33 and 59 depend from Claim 32, which is shown above to be allowable. Thus, Claims 33 and 59 are patentable over *Knudson*, *PMBK*, and *Bates William* as depending from an allowable base claim and as providing further distinctions over the cited references. As discussed above, none of *Knudson*, *PMBK* or *Bates William*, either alone or in combination, teach or suggest "data associated with translating progress milestones defined in the projects to tactics defined in the system", "storing and accessing a tactic table having at least one predefined tactic supported by the program office database" and "storing and accessing a tactic type table having at least one valid tactic type" as recited by Claim 32, nor are *PMBK* or *Bates William* relied on to teach this limitation. Therefore, Claims 33 and 59 is allowable over *Knudson*, *PMBK* and *Bates William*, either alone or in combination. Accordingly, Applicants respectfully request allowance of Claims 33 and 59.

The Examiner rejects dependent Claim 58 under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,765,140 issued to Knudson et al. ("*Knudson*") as applied to Claim 33 above, and further in view of *Gary Hamel*. Applicants respectfully traverse this rejection for at least the following reasons.

Claim 58 depends from Claim 32, which is shown above to be allowable. Thus, Claim 58 is patentable over *Knudson* and *Gary Hamel* as depending from an allowable base claim and as providing further distinctions over the cited references. As discussed above,

neither *Knudson* nor *Gary Hamel*, either alone or in combination, teach or suggest "data associated with translating progress milestones defined in the projects to tactics defined in the system", "storing and accessing a tactic table having at least one predefined tactic supported by the program office database" and "storing and accessing a tactic type table having at least one valid tactic type" as recited by Claim 32, nor is *Gary Hamel* relied on to teach this limitation. Therefore, Claim 58 is allowable over *Knudson* and *Gary Hamel*, either alone or in combination. Accordingly, Applicants respectfully request allowance of Claim 58.

In general, dependent Claims 2-16 and 18-31 depend from independent Claim 1, and dependent Claims 33-42 and 44-62 depend from independent Claim 32. Claims 1 and 32 have been shown above to be allowable. Therefore, Claims 2-16, 18-31, 33-42 and 44-62 are patentable as depending from an allowable base claim and as defining further distinctions over the cited art. Accordingly, Applicants respectfully request allowance of dependent Claims 2-16, 18-31, 33-42 and 44-62.

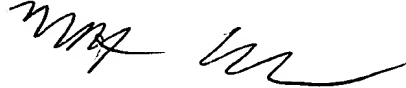
**CONCLUSION**

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case, the undersigned attorney for Applicants stands willing to conduct such a telephone interview at the convenience of the Examiner.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account 05-0765 of Electronic Data Systems Corporation.

Respectfully submitted,  
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